

SENATE BILL NO. 185

INTRODUCED BY B. HAWKS

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE OPERATION OF ELECTRIC VEHICLES; DEFINING "MEDIUM-SPEED ELECTRIC VEHICLE"; PROHIBITING OPERATION OF A MEDIUM-SPEED ELECTRIC VEHICLE ON CERTAIN HIGHWAYS; REQUIRING CERTAIN EQUIPMENT ON A MEDIUM-SPEED ELECTRIC VEHICLE; ALLOWING FOR THE OPERATION OF A VEHICLE EQUIPPED A CERTAIN WAY WITHOUT A MOTORCYCLE ENDORSEMENT; AMENDING SECTIONS 61-1-101 AND 61-5-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-1-101, MCA, is amended to read:

"61-1-101. Definitions. As used in this title, unless the context indicates otherwise, the following definitions apply:

(1) (a) "Authorized agent" means a person who has executed a written agreement with the department and is specifically authorized by the department to electronically access and update the department's motor vehicle titling, registration, or driver records, using an approved automated interface, for specific functions or purposes upon behalf of a third party.

(b) For purposes of this subsection (1), "person" means an individual, corporation, partnership, limited partnership, limited liability company, association, joint venture, state agency, local government unit, another state government, the United States, a political subdivision of this or another state, or any other legal or commercial entity.

(2) "Authorized agent agreement" means the written agreement executed between an authorized agent and the department that sets the technical and operational program standards, compliance criteria, payment options, and service expectations by which the authorized agent must operate in performing specific motor vehicle or driver-related record functions.

(3) "Bus" means a motor vehicle designed for carrying more than 10 passengers and used for the transportation of persons and any other motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.



1 (4) (a) "Camper" means a structure designed to be mounted in the cargo area of a truck or attached to
2 an incomplete vehicle for the purpose of providing shelter for persons. The term includes but is not limited to a
3 cab-over, half cab-over, noncab-over, telescopic, and telescopic cab-over.

4 (b) The term does not include a truck canopy cover or topper.

5 (5) "Certificate of title" means the paper record issued by the department or by the appropriate agency
6 of another jurisdiction that establishes a verifiable record of ownership between an identified person or persons
7 and the motor vehicle specifically described in the record and that provides notice of a perfected security interest
8 in the motor vehicle.

9 (6) "Commercial driver's license" means:

10 (a) a driver's license issued under or granted by the laws of this state that authorizes a person to operate
11 a class of commercial motor vehicle; and

12 (b) the privilege of a person to drive a commercial motor vehicle, whether or not the person holds a valid
13 commercial driver's license.

14 (7) (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in
15 commerce to transport passengers or property if the vehicle:

16 (i) has a gross combination weight rating or a gross combination weight of 26,001 pounds or more,
17 whichever is greater, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;

18 (ii) has a gross vehicle weight rating or a gross vehicle weight of 26,001 pounds or more, whichever is
19 greater;

20 (iii) is designed to transport at least 16 passengers, including the driver;

21 (iv) is a school bus; or

22 (v) is of any size and is used in the transportation of hazardous materials as defined in 61-8-801.

23 (b) The following vehicles are not commercial motor vehicles:

24 (i) an authorized emergency service vehicle:

25 (A) equipped with audible and visual signals as required under 61-9-401 and 61-9-402; and

26 (B) entitled to the exemptions granted under 61-8-107;

27 (ii) a vehicle:

28 (A) controlled and operated by a farmer, family member of the farmer, or person employed by the farmer;

29 (B) used to transport farm products, farm machinery, or farm supplies to or from the farm within Montana
30 within 150 miles of the farm or, if there is a reciprocity agreement with a state adjoining Montana, within 150 miles

1 of the farm, including any area within that perimeter that is in the adjoining state; and

2 (C) not used to transport goods for compensation or for hire; or

3 (iii) a vehicle operated for military purposes by active duty military personnel, a member of the military
4 reserves, a member of the national guard on active duty, including personnel on full-time national guard duty,
5 personnel in part-time national guard training, and national guard military technicians, or active duty United States
6 coast guard personnel.

7 (c) For purposes of this subsection (7):

8 (i) "farmer" means a person who operates a farm or who is directly involved in the cultivation of land or
9 crops or the raising of livestock owned by or under the direct control of that person;

10 (ii) "gross combination weight rating" means the value specified by the manufacturer as the loaded weight
11 of a combination or articulated vehicle;

12 (iii) "gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of
13 a single vehicle; and

14 (iv) "school bus" has the meaning provided in 49 CFR 383.5.

15 (8) "Commission" means the state transportation commission.

16 (9) "County where a vehicle is domiciled" means the county in which the vehicle owner permanently
17 resides or, if a vehicle is owned by a corporation or is leased or used for commercial purposes, the county in
18 which the vehicle is permanently assigned or most frequently used, dispatched, or controlled.

19 (10) "Custom vehicle" means a motor vehicle other than a motorcycle that:

20 (a) (i) was manufactured with a model year after 1948 and that is at least 25 years old; or

21 (ii) was built to resemble a vehicle manufactured after 1948 and at least 25 years before the current
22 calendar year, including a kit vehicle intended to resemble a vehicle manufactured after 1948 and that is at least
23 25 years old; and

24 (b) has been altered from the manufacturer's original design or has a body constructed from nonoriginal
25 materials.

26 (11) (a) "Dealer" means a person, firm, association, or corporation that, for commission or profit, engages
27 in whole or in part in the business of buying, selling, exchanging, accepting on consignment, or acting as a broker,
28 as defined in 61-4-131, of new or used motor vehicles, trailers, semitrailers, or pole trailers that are not registered
29 in the name of the person, firm, association, or corporation and that are required to be licensed under chapter
30 4 of this title.

1 (b) The term does not include the following:

2 (i) receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting
3 under a judgment or order of any court of competent jurisdiction;

4 (ii) employees of the persons included in subsection (11)(b)(i) when engaged in the specific performance
5 of their duties as employees; or

6 (iii) public officers while performing or in the operation of their duties.

7 (12) "Declared weight" means the total unladen weight of a vehicle plus the weight of the maximum load
8 to be carried on the vehicle as stated by the registrant in the application for registration.

9 (13) "Department" means the department of justice acting directly or through its duly authorized officers
10 or agents.

11 (14) "Dolly or converter gear" means a device consisting of one or two axles with a fifth wheel and trailer
12 tongue used to support the forward end of a semitrailer, converting a semitrailer into a trailer.

13 (15) "Driver" means a person who drives or is in actual physical control of a vehicle.

14 (16) "Driver's license" means a license or permit to operate a motor vehicle issued under or granted by
15 the laws of this state, including:

16 (a) any temporary license or instruction permit;

17 (b) the privilege of any person to drive a motor vehicle, whether or not the person holds a valid license;

18 (c) any nonresident's driving privilege;

19 (d) a motorcycle endorsement; or

20 (e) a commercial driver's license.

21 (17) "Electric personal assistive mobility device" means a device that has two nontandem wheels, is
22 self-balancing, and is designed to transport only one person with an electric propulsion system that limits the
23 maximum speed of the device to 12 1/2 miles an hour.

24 (18) "For hire" means an action performed for remuneration of any kind, whether paid or promised, either
25 directly or indirectly, or received or obtained through leasing, brokering, or buy-and-sell arrangements from which
26 a remuneration is obtained or derived for transportation service.

27 (19) "Gross vehicle weight" means the weight of a vehicle without load plus the weight of any load on the
28 vehicle.

29 (20) "Highway" or "public highway" means the entire width between the boundary lines of every publicly
30 maintained way when any part of the publicly maintained way is open to the use of the public for purposes of

1 vehicular travel.

2 (21) "Highway patrol officer" means a state officer authorized to direct or regulate traffic or to make
3 arrests for violations of traffic regulations.

4 (22) "Implement of husbandry" means a vehicle that is designed for agricultural purposes and exclusively
5 used by the owner of the vehicle in the conduct of the owner's agricultural operations.

6 (23) "Kit vehicle" is a motor vehicle assembled from a manufactured kit either as:

7 (a) a complete kit, consisting of a prefabricated body and chassis, to construct a new motor vehicle; or

8 (b) a kit with a prefabricated body to be mounted to an existing motor vehicle chassis and drivetrain,
9 commonly referred to as a donor vehicle.

10 (24) "Light vehicle" means a motor vehicle commonly referred to as an automobile, van, sport utility
11 vehicle, or truck having a manufacturer's rated capacity of 1 ton or less.

12 (25) "Manufactured home" has the meaning provided in 15-1-101.

13 (26) "Manufacturer" includes any person, firm, corporation, or association engaged in the manufacture
14 of motor vehicles, trailers, or semitrailers as a regular business.

15 (27) "Manufacturer's certificate of origin" means the original paper record produced and issued by the
16 manufacturer of a vehicle or, if in a medium authorized by the department, an electronic record created and
17 transmitted by the manufacturer of a vehicle to the manufacturer's agent or a licensed dealer. The record must
18 establish the origin of the vehicle specifically described in the record and, upon assignment, transfers of
19 ownership of the vehicle to the person or persons named in the certificate.

20 (28) (A) "Medium-speed electric vehicle" is a motor vehicle, upon or by which a person may be
21 transported, that:

22 (a)(I) has a maximum speed of 35 miles an hour AS CERTIFIED BY THE MANUFACTURER;

23 (b)(II) is propelled by its own power, using an electric motor or other device that transforms stored
24 electrical energy into the motion of the vehicle;

25 (c)(III) stores electricity in batteries, ultracapacitors, or similar devices, which are charged from the power
26 grid or from renewable electrical energy sources;

27 (d)(IV) does not generate electricity on board from gasoline, diesel, or other sources that produce polluting
28 emissions IS FULLY ENCLOSED AND INCLUDES AT LEAST ONE DOOR FOR ENTRY;

29 (e)(V) has a wheelbase of 40 inches or greater and a wheel diameter of 10 inches or greater;

30 (f)(VI) exhibits a manufacturer's compliance with 49 CFR, part 565, or displays a 17-character vehicle

1 identification number as provided in 49 CFR, part 565;

2 (g)(VII) bears a sticker, affixed by the manufacturer or dealer, on the left side of the rear window that
 3 indicates the vehicle's maximum speed rating; and

4 (h)(VIII) AS CERTIFIED BY THE MANUFACTURER, is equipped as provided in [section 3].

5 (B) A MEDIUM-SPEED ELECTRIC VEHICLE MUST BE TREATED AS A LIGHT VEHICLE FOR PURPOSES OF TITLING AND
 6 REGISTRATION UNDER TITLE 61, CHAPTER 3.

7 ~~(28)~~(29) "Mobile home" or "housetrailer" has the meaning provided in 15-1-101.

8 ~~(29)~~(30) (a) "Motorboat" means a vessel, including a personal watercraft or pontoon, propelled by any
 9 machinery, motor, or engine of any description, whether or not the machinery, motor, or engine is the principal
 10 source of propulsion. The term includes boats temporarily equipped with detachable motors or engines.

11 (b) The term does not include a vessel that has a valid marine document issued by the U.S. coast guard
 12 or any successor federal agency.

13 ~~(30)~~(31) (a) "Motor carrier" means a person or corporation or its lessees, trustees, or receivers appointed
 14 by a court that are operating motor vehicles upon a public highway in this state for the transportation of property
 15 for hire on a commercial basis.

16 (b) The term does not include motor carriers regulated under Title 69, chapter 12.

17 ~~(31)~~(32) (a) "Motorcycle" means a motor vehicle having not more than three wheels in contact with the
 18 ground and a seat or saddle on which the operator sits or a platform on which the operator stands and a driving
 19 wheel in contact with the ground in addition to the wheels of the vehicle itself. A motorcycle may carry one or
 20 more attachments and a seat for the conveyance of a passenger.

21 (b) The term does not include a tractor, a bicycle as defined in 61-8-102, a motorized nonstandard
 22 vehicle, or a two- or three-wheeled all-terrain vehicle that is used exclusively on private property.

23 ~~(32)~~(33) (a) "Motor-driven cycle" means a motorcycle, including a motor scooter, with a motor that
 24 produces 5 horsepower or less.

25 (b) The term does not include a bicycle, as defined in 61-8-102, or a motorized nonstandard vehicle.

26 ~~(33)~~(34) "Motor home" means a motor vehicle:

27 (a) designed to provide temporary living quarters, built as an integral part of or permanently attached to
 28 a self-propelled motor vehicle chassis or van;

29 (b) containing permanently installed independent life support systems that meet the ANSIA/A119.2
 30 standard; and

- 1 (c) providing at least four of the following types of facilities:
- 2 (i) cooking, refrigeration, or icebox;
- 3 (ii) self-contained toilet;
- 4 (iii) heating or air-conditioning, or both;
- 5 (iv) potable water supply, including a faucet and sink; or
- 6 (v) separate 110-volt or 125-volt electrical power supply or a liquefied petroleum gas supply; or both.
- 7 ~~(34)~~(35) (a) "Motorized nonstandard vehicle" means a vehicle, upon or by which a person may be
- 8 transported, that:
- 9 (i) is propelled by its own power, using an internal combustion engine or an electric motor;
- 10 (ii) has a wheelbase of less than 40 inches and a wheel diameter of less than 10 inches; and
- 11 (iii) does not display a manufacturer's certification in accordance with 49 CFR, part 567, or have a
- 12 17-character vehicle identification number assigned by the manufacturer in accordance with 49 CFR, part 565.
- 13 (b) The term includes but is not limited to a motorized skateboard and a vehicle commonly known as a
- 14 "pocket rocket".
- 15 (c) The term does not include an electric personal assistive mobility device or a motorized wheelchair
- 16 or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled
- 17 person.
- 18 ~~(35)~~(36) (a) "Motor vehicle" means a vehicle propelled by its own power and designed or used to
- 19 transport persons or property upon the highways of the state.
- 20 (b) The term does not include a bicycle as defined in 61-8-102 or a motorized wheelchair or other
- 21 low-powered, mechanically propelled vehicle that is designed specifically for use by a physically disabled person
- 22 and that is used as a means of mobility for that person.
- 23 ~~(36)~~(37) "New motor vehicle" means a motor vehicle, regardless of the mileage of the vehicle, the legal
- 24 or equitable title to which has never been transferred by a manufacturer, distributor, or dealer to another person
- 25 as the result of a retail sale.
- 26 ~~(37)~~(38) "Nonresident" means a person who is not a resident of this state.
- 27 ~~(38)~~(39) (a) "Not used for general transportation purposes" means the operation of a motor vehicle,
- 28 registered as a collector's item, a custom vehicle, or a street rod, to or from a car club activity or event or an
- 29 exhibit, show, cruise night, or parade, or other occasional transportation activity.
- 30 (b) The term does not include operation of a motor vehicle for routine or ordinary household

1 maintenance, employment, education, or other similar purposes.

2 ~~(39)~~(40) (a) "Off-highway vehicle" means a self-propelled vehicle used for recreation or cross-country
3 travel on public lands, trails, easements, lakes, rivers, or streams. The term includes but is not limited to
4 motorcycles, quadricycles, dune buggies, amphibious vehicles, air cushion vehicles, and any other means of land
5 transportation deriving motive power from any source other than muscle or wind.

6 (b) The term does not include:

7 (i) vehicles designed primarily for travel on, over, or in the water;

8 (ii) snowmobiles; or

9 (iii) vehicles otherwise issued a certificate of title and registered under the laws of the state, unless the
10 vehicle is used for off-road recreation on public lands.

11 ~~(40)~~(41) "Operator" means a person who is in actual physical control of a motor vehicle.

12 ~~(41)~~(42) "Owner" means a person who holds the legal title to a vehicle. If a vehicle is the subject of an
13 agreement for the conditional sale of the vehicle with the right of purchase upon performance of the conditions
14 stated in the agreement and with an immediate right of possession vested in the conditional vendee, or in the
15 event a vehicle is subject to a lease, contract, or other legal arrangement vesting right of possession or control,
16 for security or otherwise, or in the event a mortgagor of a vehicle is entitled to possession, then the owner is the
17 person in whom is vested the right of possession or control.

18 ~~(42)~~(43) "Person" means an individual, corporation, partnership, association, firm, or other legal entity.

19 ~~(43)~~(44) "Personal watercraft" means a vessel that uses an outboard motor or an inboard engine
20 powering a water jet pump as its primary source of propulsion and that is designed to be operated by a person
21 sitting, standing, or kneeling on the vessel rather than by the conventional method of sitting or standing in the
22 vessel.

23 ~~(44)~~(45) "Pole trailer" means a vehicle without power designed to be drawn by another vehicle and
24 attached to the towing vehicle by means of a reach or pole or by being boomed or otherwise secured to the
25 towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or
26 structural members capable generally of sustaining themselves as beams between the supporting connections.

27 ~~(45)~~(46) "Police officer" means an officer authorized to direct or regulate traffic or to make arrests for
28 violations of traffic regulations.

29 ~~(46)~~(47) (a) "Quadricycle" means a four-wheeled motor vehicle, designed for on-road or off-road use,
30 having a seat or saddle upon which the operator sits and a motor capable of producing not more than 50

1 horsepower.

2 (b) The term does not include golf carts.

3 ~~(47)~~(48) "Railroad" means a carrier of persons or property upon cars, other than streetcars, operated
4 upon stationary rails.

5 ~~(48)~~(49) (a) "Railroad train" or "train" means a steam engine or electric or other motor, with or without cars
6 coupled to the engine, that is operated upon rails.

7 (b) The term does not include streetcars.

8 ~~(49)~~(50) "Recreational vehicle" includes self-propelled vehicles originally designed or permanently altered
9 to provide temporary facilities for recreational, travel, or camping use.

10 ~~(50)~~(51) "Registration" or "register" means the act or process of creating an electronic record, maintained
11 by the department, of the assignment of a license plate or a set of license plates to and the issuance of a
12 registration decal for a specific vehicle, the ownership of which has been established or is presumed in
13 department records.

14 ~~(51)~~(52) "Registration decal" means an adhesive sticker produced by the department and issued by the
15 department, its authorized agent, or a county treasurer to the owner of a motor vehicle, trailer, semitrailer, or pole
16 trailer as proof of payment of all fees imposed for the registration period indicated on the sticker as recorded by
17 the department under 61-3-101.

18 ~~(52)~~(53) "Registration receipt" means a paper record that is produced and issued or, if authorized by the
19 department, an electronic record that is transmitted by the department, its authorized agent, or a county treasurer
20 to the owner of a vehicle that identifies a vehicle, based on information maintained in the electronic record of title
21 for the vehicle, and that provides evidence of the payment of all fees required to be paid for the registration of the
22 vehicle for the registration period indicated in the receipt.

23 ~~(53)~~(54) "Retail sale" means the sale of a new motor vehicle or used motor vehicle, a recreational vehicle,
24 a trailer, a travel trailer, a motorcycle, a quadricycle, or special mobile equipment by a dealer to a person for
25 purposes other than resale.

26 ~~(54)~~(55) "Revocation" means that the driver's license and privilege to drive a motor vehicle on the public
27 highways are terminated and may not be renewed or restored. An application for a new license may be presented
28 and acted upon by the department after the expiration of the period of the revocation.

29 ~~(55)~~(56) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular
30 travel, exclusive of the berm or shoulder. In the event that a highway includes two or more separate roadways,

1 the term refers to any roadway separately but not to all roadways collectively.

2 ~~(56)~~(57) (a) "Sailboat" means a vessel that uses a sail and wind as its primary source of propulsion.

3 (b) The term does not include a canoe or kayak propelled by wind.

4 ~~(57)~~(58) "Semitrailer" means a vehicle, with or without motive power, other than a pole trailer, designed
5 for carrying property and for being drawn by a motor vehicle and constructed so that some part of its weight and
6 that of its load rests upon or is carried by another vehicle.

7 ~~(58)~~(59) "Snowmobile" means a self-propelled vehicle of an overall width of 48 inches or less, excluding
8 accessories, that is designed primarily for travel on snow or ice, that may be steered by skis or runners, and that
9 is not otherwise registered or licensed under the laws of the state of Montana.

10 ~~(59)~~(60) "Special mobile equipment" means a vehicle not designed for the transportation of persons or
11 property on the highways but incidentally operated or moved over the highways, including road construction or
12 maintenance machinery, ditch-digging apparatus, and well-boring apparatus. The fact that equipment is
13 permanently attached to a vehicle does not make the vehicle special mobile equipment. The enumeration in this
14 subsection is partial and does not exclude other vehicles that are within the general terms of this subsection.

15 ~~(60)~~(61) (a) "Specially constructed vehicle" means a motor vehicle, including a motorcycle, that:

16 (i) was not originally constructed under a distinctive make, model, or type by a generally recognized
17 manufacturer of motor vehicles;

18 (ii) has been structurally modified so that it does not have the same appearance as similar vehicles from
19 a generally recognized manufacturer of motor vehicles;

20 (iii) has been constructed or assembled entirely from custom-built parts and materials not obtained from
21 other vehicles;

22 (iv) has been constructed or assembled by using major component parts from one or more manufactured
23 vehicles and that cannot be identified as a specific make or model; or

24 (v) has been constructed by the use of a kit that cannot be visually identified as a specific make or model.

25 (b) The term does not include a motor vehicle that has been repaired or restored to its original design
26 by replacing parts.

27 ~~(61)~~(62) (a) "Sport utility vehicle" means a light vehicle designed to transport 10 or fewer persons that
28 is constructed on a truck chassis or that has special features for occasional off-road use.

29 (b) The term does not include trucks having a manufacturer's rated capacity of 1 ton or less.

30 ~~(62)~~(63) (a) "Stop", when required, means complete cessation from movement.

1 (b) "Stop", "stopping", or "standing", when prohibited, means any stopping or standing of a vehicle,
2 whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the
3 directions of a police officer, highway patrol officer, or traffic control sign or signal.

4 ~~(63)~~(64) "Street" means the entire width between the boundary lines of every publicly maintained way
5 when any part of the publicly maintained way is open to the use of the public for purposes of vehicular travel.

6 ~~(64)~~(65) "Street rod" means a motor vehicle, other than a motorcycle, that:

7 (a) was manufactured prior to 1949 or was built to resemble a vehicle manufactured before 1949,
8 including a kit vehicle intended to resemble a vehicle manufactured before 1949; and

9 (b) has been altered from the manufacturer's original design or has a body constructed from nonoriginal
10 materials.

11 ~~(65)~~(66) "Suspension" means that the driver's license and privilege to drive a motor vehicle on the public
12 highways are temporarily withdrawn, but only during the period of suspension.

13 ~~(66)~~(67) "Temporary registration permit" means a paper record:

14 (a) issued by the department, an authorized agent, a county treasurer, or a person, using a
15 department-approved electronic interface after an electronic record has been transmitted to the department, that
16 contains:

17 (i) required vehicle and owner information; and

18 (ii) the purpose for which the record was generated; and

19 (b) that, when placed in a durable license-plate style plastic pouch approved by the department and
20 displayed as prescribed in 61-3-224, authorizes a person to operate the described motor vehicle, motorboat,
21 sailboat that is 12 feet in length or longer, snowmobile, or off-highway vehicle for 40 days from the date the record
22 is issued or until the vehicle is registered under Title 23 or this title, whichever first occurs.

23 ~~(67)~~(68) "Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and other
24 conveyances either singly or together while using any highways for purposes of travel.

25 ~~(68)~~(69) (a) "Trailer" means a vehicle, with or without motive power, other than a pole trailer, designed
26 for carrying property and for being drawn by a motor vehicle and constructed so that no part of its weight rests
27 upon the towing vehicle.

28 (b) The term does not include a mobile home or a manufactured home, as defined in 15-1-101.

29 ~~(69)~~(70) "Transaction summary receipt" means an electronic record produced and issued by the
30 department, its authorized agent, or a county treasurer for which a paper receipt is issued. The record may be

1 created by the department and transmitted to the owner of a vehicle, a secured party, or a lienholder. The record
2 must contain a unique transaction record number and summarize and verify the electronic filing of the transaction
3 described in the receipt on the electronic record of title maintained under 61-3-101.

4 ~~(70)~~(71) "Travel trailer" means a vehicle:

5 (a) that is 40 feet or less in length;

6 (b) that is of a size or weight that does not require special permits when towed by a motor vehicle;

7 (c) with gross trailer area of less than 320 square feet; and

8 (d) that is designed to provide temporary facilities for recreational, travel, or camping use and not used
9 as a principal residence.

10 ~~(71)~~(72) "Truck" or "motortruck" means a motor vehicle designed, used, or maintained primarily for the
11 transportation of property.

12 ~~(72)~~(73) "Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles
13 and not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

14 ~~(73)~~(74) "Under the influence" has the meaning provided in 61-8-401.

15 ~~(74)~~(75) "Used motor vehicle" includes any motor vehicle that has been sold, bargained, exchanged,
16 given away, or had its title transferred from the person who first took title to it from the manufacturer, importer,
17 dealer, wholesaler, or agent of the manufacturer or importer and that has been used so as to have become what
18 is commonly known as "secondhand" within the ordinary meaning of that term.

19 ~~(75)~~(76) "Van" means a motor vehicle designed for the transportation of at least six persons and not more
20 than nine persons and intended for but not limited to family or personal transportation without compensation.

21 ~~(76)~~(77) (a) "Vehicle" means a device in, upon, or by which any person or property may be transported
22 or drawn upon a public highway, except devices moved by animal power or used exclusively upon stationary rails
23 or tracks.

24 (b) The term does not include a manually or mechanically propelled wheelchair or other low-powered,
25 mechanically propelled vehicle that is designed specifically for use by a physically disabled person and that is
26 used as a means of mobility for that person.

27 ~~(77)~~(78) "Vehicle identification number" means the number, letters, or combination of numbers and letters
28 assigned by the manufacturer, by the department, or in accordance with the laws of another state or country for
29 the purpose of identifying the motor vehicle or a component part of the motor vehicle.

30 ~~(78)~~(79) "Vessel" means every description of watercraft, unless otherwise defined by the department,

1 other than a seaplane on the water, used or capable of being used as a means of transportation on water.

2 ~~(79)~~(80) "Wholesaler" means a person, firm, partnership, association, or corporation that for a
3 commission or with intent to make a profit or gain of money or other thing of value sells, exchanges, or attempts
4 to negotiate a sale or exchange of an interest in a used motor vehicle, recreational vehicle, trailer, semitrailer,
5 pole trailer, special mobile equipment, motorcycle, or quadricycle only to vehicle dealers and auto auctions
6 licensed under chapter 4, part 1."

7
8 **NEW SECTION. Section 2. Medium-speed electric vehicle -- operating requirements.** (1) A
9 medium-speed electric vehicle may only be operated on a highway for which the posted speed limit does not
10 exceed 45 miles an hour.

11 (2) Except as provided in subsection (1), the provisions of this chapter apply to the operator of a
12 medium-speed electric vehicle.

13
14 **NEW SECTION. Section 3. Medium-speed electric vehicles -- required equipment.** A medium-speed
15 electric vehicle, as defined in 61-1-101, must be equipped with:

- 16 (1) headlamps, front and rear turn signal lamps, taillamps, and stop lamps;
17 (2) three red reflectors, two of which must be placed on each side as far to the rear of the vehicle as
18 practicable, and one of which must be placed on the rear of the vehicle;
19 (3) an exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted
20 on the passenger's side of the vehicle or an interior mirror;
21 (4) a parking brake;
22 (5) a windshield that conforms to the federal motor vehicle safety standard provided in 49 CFR 571.205;
23 (6) a seatbelt assembly that conforms to the federal motor vehicle safety standard provided in 49 CFR
24 571.209; and
25 (7) a roll bar, roll cage, or crush-proof body design.

26
27 **Section 4.** Section 61-5-102, MCA, is amended to read:
28 **"61-5-102. Drivers to be licensed.** (1) Except as provided in 61-5-104, a person may not drive a motor
29 vehicle upon a highway in this state unless the person has a valid Montana driver's license. A person may not
30 receive a Montana driver's license until the person surrenders to the department all valid driver's licenses issued

1 by any other jurisdiction. A person may not have in the person's possession or under the person's control more
2 than one valid Montana driver's license at any time.

3 (2) (a) (i) A Except as provided in subsection (2)(a)(ii), a license is not valid for the operation of a
4 motorcycle unless the holder of the license has completed the requirements of 61-5-110 and the license has been
5 clearly marked with the words "motorcycle endorsement".

6 (ii) A motorcycle endorsement is not required for the operation of a motorcycle that IS PROPELLED BY AN
7 ELECTRIC MOTOR OR OTHER DEVICE THAT TRANSFORMS STORED ELECTRICAL ENERGY INTO THE MOTION OF THE VEHICLE,
8 has a fully enclosed cab, is equipped with three wheels in contact with the ground, and is equipped with a seat
9 and seatbelts.

10 (b) A license is not valid for the operation of a commercial motor vehicle unless the holder of the license
11 has completed the requirements of 61-5-110, the license has been clearly marked with the words "commercial
12 driver's license", and the license bears the proper endorsement for:

13 (i) the specific vehicle type or types being operated; or

14 (ii) the passengers or type or types of cargo being transported.

15 (3) When a city or town requires a licensed driver to obtain a local driving license or permit, a license or
16 permit may not be issued unless the applicant presents a state driver's license valid under the provisions of this
17 chapter."
18

19 **NEW SECTION. Section 5. Codification instruction.** (1) [Section 2] is intended to be codified as an
20 integral part of Title 61, chapter 8, part 3, and the provisions of Title 61, chapter 8, part 3, apply to [section 2].

21 (2) [Section 3] is intended to be codified as in integral part of Title 61, chapter 9, part 4, and the provisions
22 of Title 61, chapter 9, part 4, apply to [section 3].
23

24 **NEW SECTION. Section 6. Effective date.** [This act] is effective on passage and approval.
25

- END -